

# Notice of Allowability

Application No.

10/658,412

Examiner

Brian R. Gordon

Applicant(s)

HIGUCHI, AKIRA

Art Unit

1743

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9-10-03.
2. ☒ The allowed claim(s) is/are 1-6.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

- |  |  |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application                      |
| 2. <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                    | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material         | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9. <input type="checkbox"/> Other _____.   |

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Charles Watts on November 17, 2006.

The application has been amended as follows:

In the claims:

1. A distribution apparatus which sucks in a liquid by distribution tips detachably fitted to the bottom ends of nozzles disposed on a distributing head and discharges the liquid into a container, comprising:

a distributing head including a plurality of nozzles;

a detaching plate having a stopping portion and provided with ~~openings being~~ openings, which are larger in diameter than outer diameters of the nozzles and smaller in diameter than outer diameters of the distribution tips, ~~which are disposed in~~ accordance with ~~the~~ an arrangement of the nozzles;

a holding means which serves to make the distributing head hold said detaching plate with the nozzles set through the openings;

a tip detaching stage provided with a stop member having a stop portion to stop the stopping portion; and

a distribution tip detaching means for detaching the distribution tips from the nozzles by means of said detaching plate by moving the stop member and the distributing head relatively in a direction of vertically moving apart with the stopping portion stopped by the stop portion.

4. A method for detaching distribution tips in a distribution apparatus, ~~detaching distribution tips fitted in nozzles from said nozzles, in a distribution apparatus which sucks in a liquid by distribution tips detachably fitted to the bottom ends of the nozzles disposed on a distributing head, the method comprising:~~

providing a distributing head including a plurality of nozzles with distribution tips fitted on said nozzles, said distribution apparatus being arranged to suck by a liquid distribution tips detachably fitted to the bottom ends of the nozzles disposed on the distributing head;

wherein providing a detaching plate provided with openings being having openings which are larger in diameter than outer diameters of the nozzle and smaller in diameter than outer diameters of the distribution tips which are disposed in accordance with the an arrangement of the nozzles is held to the distributing head with the nozzles set through the openings, and with a stopping portion of the detaching plate stopped by a stop portion of a stop member disposed at a tip detaching stage, the distributing head and the stop member are relatively moved in a direction of vertically moving apart, and thereby, the distribution tips are detached from the bottom ends of the nozzles.;

holding the detaching plate to the distributing head with the nozzles set through the openings;

stopping a stopping portion of the detaching plate by a stop portion of a stop member disposed at a tip detaching stage;

with the stopping portion of the detaching plate stopped by the stop portion of the stop member; relatively moving the distributing head and the stop member to move vertically apart such that the distribution tips are detached from the bottom ends of the nozzle.

5. The method for detaching distribution tips in a distribution apparatus of claim 4, wherein the relatively moving the distributing head and the stop member includes moving the distributing head is—moved up against the tip detaching stage, and thereby, such that the distribution tips are detached from the bottom ends of the nozzles by means of the detaching plate.

6. The method for detaching distribution tips in a distribution apparatus of claim 4, wherein the relatively moving the distributing head and the stop member includes lowering the stop member is—lowered against the distributing head, and thereby, such that the distribution tips are detached from the bottom ends of the nozzles by means of the detaching plate.

***Allowable Subject Matter***

2. Claims 1-6 are allowed.

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3. The following is an examiner's statement of reasons for allowance: The prior art of record does not teach nor fairly suggest distributing apparatus as claiming including detaching stage and detaching plate as employed in the claimed method.

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Higuchi; Akira; Maeda; Yoshio; Torti; Victor A. et al.; Hitch, Jonn et al.; Hovey, Scott A; Ruddock; Trevor; Toi, Hiroatsu et al.; Powers, Elaine; Yiu; Felxi; Yahiro; Kanji; Astle; Thomas W.; Astle; Thomas W.; and Carl; Richard A. disclose devices with detachable pipette tips.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian R. Gordon whose telephone number is 571-272-1258. The examiner can normally be reached on M-F, with 2nd and 4th F off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jill Warden can be reached on 571-272-1267. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to be 'EPA' followed by a long, sweeping horizontal line.

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